

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THOMAS J. JASTRZENSKI,

Plaintiff,

v.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CIVIL ACTION

NO. 11-0524

ORDER

AND NOW, this 23rd day of January, 2012, upon consideration of Plaintiff's Brief filed July 15, 2011, Defendant's Response filed July 29, 2011, and Plaintiff's Reply filed August 8, 2011, and after review of U.S. Magistrate Judge Henry S. Perkin's January 4, 2012 Report and Recommendation and January 19, 2012 Amended Recommendation, **IT IS ORDERED** that:

1. the January 4, 2012 Report and January 19, 2012 Amended Recommendation are **APPROVED** and **ADOPTED**;
2. Plaintiff's motion to remand pursuant to the fourth sentence of 42 U.S.C. § 405(g) is **GRANTED**, and the action is **REMANDED** to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) and in accordance with the January 19, 2012 Amended Recommendation; and
3. Plaintiff's Request for Review is **DENIED** insofar as it seeks an award of benefits.

BY THE COURT:

/s/ Legrome D. Davis

LEGROME D. DAVIS, J.